

Fire Safety Code Board

Of Appeal & Review

Minutes of May 12, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, May 12, 2009 at 1:00 P.M. Present were Acting Chairman Pearson and Commissioners Dias, Filippi, Jasparro, Jackson, Preiss, Blackburn, Walker and Richard Dais. Chief Coutu and Vice Chairman Newbrook were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #080071: Mr. Pedro Ferreira, for the property located at 150 Ives Street in Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant's requested relief, provided the fourth floor of this building remains vacant. The variances granted apply only to this owner, and for the current use. The motion was unanimous.

APPEAL #090128: Mr. Claude Goldstein, for the property located at 302-304 Wickenden Street in Providence. ADSFM Richard Silva and ADSFM Richard Vespia appeared for the Providence Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Dias, to grant the Providence Fire Marshal's office the

authority to approve a TCO for this facility, and to approve the Applicant's request to be able to place a covering over certain smoke detectors during construction to protect them from dust and nuisance false alarms. These coverings shall not remain on the detectors overnight, but only during certain times of the day when they would be exposed to the construction dust. The motion was unanimous.

APPEAL #060646: Mr. Fernando Dos Reis, for the property located at 22 Greene Street, Pawtucket. ADSFM Jeffrey Johnson appeared for the Pawtucket Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioners Blackburn and Richard, to close this file, based upon the Applicant's testimony that the facility is not a four-family building, but a three family dwelling. The Pawtucket Fire Marshal will re-inspect. The motion was unanimous.

APPEAL #060645: Mr. Anthony Fascitelli, for the property located at 310 Evergreen Street in Pawtucket. ADSFM Jeffrey Johnson appeared for the Pawtucket Fire Marshal's office. The Applicant failed to appear. Commissioner Jasparro made a motion, seconded by Commissioner Richard, to close the file. The motion was unanimous.

APPEAL #060580: Mr. John Microulis, for the property located at 68 Stedman Avenue in Pawtucket. ADSFM Jeffrey Johnson appeared for the Pawtucket Fire Marshal's office. The Applicant failed to appear. Commissioner Richard made a motion, seconded by Commissioner

Richard, to close the file. The motion was unanimous.

APPEAL #060737: Mr. William H. Connerton, for the property located at 14 Kay Street in Newport. ADSFM Wayne Clark appeared for the Newport Fire Marshal's office. Commissioner Jackson made a motion, seconded by Commissioner Richard, to grant the following relief. The Applicant is granted a variance, based on structural hardship, from the provisions of section 24.2.2.3. The Applicant is granted a time variance of thirty days in which to provide a plan of action to the Newport Fire Marshal's office for the correction of items 7 and 10 of the Newport Fire Marshal's deficiency report, and an additional 120 days in which to implement that plan of action. The motion passed over the objection of Commissioner Walker.

APPEAL #060827Z: Mr. William H. Connerton, for the property located at 350 Gibbs Avenue, Newport. Commissioner Dias made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days in which to provide a plan of action to the Newport Fire Marshal's office for the correction of items 5, 7, 8, 10 and 13 of the Newport Fire Marshal's office and an additional 120 days in which to implement the plan of action. The motion was unanimous.

APPEAL #070062: Mr. Ron D'Agostino, for the property located at 1174 Douglas Avenue, North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office and ADSFM Gregory

Unsworth appeared for the North Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance of thirty days from the hearing date in which to submit a plan of action for the correction of the deficiencies in the State Fire Marshal's October 25, 2006 inspection report, to include the addition of a key access box. The Applicant is granted an additional time variance of 120 days in which to implement the above plan of action. The marshal's office is granted the authority to extend the above deadline for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #070055: Building Official Leo Bernadino, for the property located at 354 Fruit Hill Avenue in North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office and ADSFM Unsworth and Horan appeared for the North Providence Fire Marshal's office. Commissioner Jackson made a motion, seconded by Commissioners Jasparro and Walker, to grant the Applicant a variance from the provisions of table 13.1.6 pursuant to the Applicant's testimony that the assembly has its own level of exit discharge. The Applicant is granted a time variance of thirty days in which to submit plans for a local fire alarm system and an additional 120 days in which to implement the plan of action. The Marshal's office has the authority to extend the above deadline for good faith efforts on the part of the Applicant. The motion was unanimous.